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John Keast, Martin Naughton, Candis Rambur,
and Joseph Walls*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RUBEN GUZMAN,

Plaintiff,

vs.

BRIAN WARD et al.,

Defendants.

Case No. 3:19-cv-00104-RCJ-WGC

**ORDER GRANTING
MOTION FOR EXTENSION OF
DISPOSITIVE MOTION DEADLINE
TO OCTOBER 1, 2020
(Second Request)**

Defendants, Isidro Baca, Gaylene Fukagawa, Marsha Johns, John Keast, Martin Naughton, and Candis Rambur, and Joseph Walls, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Peter E. Dunkley, Senior Deputy Attorney General, on behalf of Meredith N. Beresford, Deputy Attorney General, hereby move this Court for an Order Extending the Dispositive Motion Deadline to October 1, 2020.

MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

Defendants respectfully request an extension of time to October 1, 2020 to file dispositive motions from the current deadline of September 17, 2020. Counsel for Defendants has nearly completed the Motion for Summary Judgment but on September 16, 2020, due to unexpected complications related to infrastructure updates at the Office of the Attorney General, several Deputies

1 Attorney General do not have access to their computers and network resources, which has prevented
2 DAG Beresford's access to the system in order to finalize the Motion and exhibits. Out of an
3 abundance of caution, Counsel requests two weeks to complete the Motion and prepare outstanding
4 exhibits to permit time for the Office infrastructure to be completed.

5 Further, this request is also further complicated because of the recent quarantine measures
6 imposed in response to the COVID-19 virus pandemic which preclude DAGs from the majority of their
7 in-office access. Namely, Governor Sisolak issued a "stay at home" directive on April 1, 2020, whereby
8 Deputy Attorneys General and other staff are required to utilize home-based working arrangements. As
9 a result, the already limited staff at the Office of the Attorney General is rendered less efficient due to
10 limited access to Virtual Private Networks (VPN) and lack of remote document access. Counsel for
11 Defendants is only permitted to be in the office two days per week.

12 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:
13 When an act may or must be done within a specified time, the court may, for good cause, extend the
14 time: (A) with or without motion or notice if the court acts, or if a request is made, before the original
15 time or its extension expires; or (B) on motion made after the time has expired if the party failed to act
16 because of excusable neglect.

17 The requested extension of time should afford Defendants adequate time to reestablish the
18 necessary access to the Motion and exhibits and file the Motion for Summary Judgment in this case.

19 For these reasons, Defendants respectfully request a 14-day extension of time from the current
20 deadline to file a motion for summary judgment in this case, with a new deadline to and including
21 Thursday, **October 1, 2020**. Likewise, Defendants respectfully request that the Court revise the
22 deadline for the joint pretrial order to be modified accordingly as set forth below.

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Proposed Schedule for Remaining Deadlines

Dispositive motion deadline **October 1, 2020**

Joint pretrial order (if no dispositive motions pending)* **November 2, 2020**

*Or 30 days after the decision of any pending dispositive motions.

DATED this 16th day of September, 2020.

AARON D. FORD

Attorney General

By: /s/ Peter E. Dunkley

PETER E. DUNKELY, Bar No. 11110

Senior Deputy Attorney General

MEREDITH N. BERESFORD, Bar No. 13308

Deputy Attorney General

Attorneys for Defendants

IT IS SO ORDERED.

DATED: September 17, 2020.

William G. Cobb

UNITED STATES MAGISTRATE JUDGE